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4 BILL NO. Z-77-03- 15

5 ZONING MAP ORDINANCE NO. Z- lost

6 AN ORDINANCE amending the City of
7 Fort Wayne Zoning Map No. BB-9.

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
9 WAYNE, INDIANA:

10 SECTION 1. That the area described as follows is hereby
11 designated a B1B District under the terms of Chapter 36, Munici-
12 pal Code of the City of Fort Wayne, Indiana, 1946, as amended by
13 General Ordinance No. 2836 and amendments thereof; and the symbols
14 of the City of Fort Wayne Zoning Map No. BB-9, referred to therein,
15 established by Section 9, Article III of said Chapter as amended,
16 are hereby changed accordingly, to-wit:

17 Lots 73, 74, 75 and 76 in Lillie Place Addition.
18 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12
19 in Thimlars Addition.
20 Lots 1, 2, 3, 4 and 5 in Kuhlman's Addition.
21 Lots 15, 16 and 17 in Neuhaus Acre Addition.

22 SECTION 2. This Ordinance shall be in full force and
23 effect from and after its passage, approval by the Mayor and
24 legal publication thereof.

25 Vivian A. Schmidt
26 Councilman

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34 APPROVED AS TO FORM
35 AND LEGALITY,
[Signature]
CITY ATTORNEY

Read the first time in full and on motion by V. Schmidt, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Regulation and the City Plan Commission for recommendation) and ~~Public Hearing~~ to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the day of _____, 1976, at _____ o'clock P.M., E.S.T.

DATE: 3-22-77 Charles W. Winterman
CITY CLERK

Read the third time in full and on motion by Burns V. Schmidt, seconded by Talarico Hinga, and duly adopted, placed on its passage.

~~PASSED~~ (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>0</u>	<u>9</u>			
BURNS		✓			
HINGA		✓			
HUNTER		✓			
MOSES		✓			
NUCKOLS		✓			
SCHMIDT, D.		✓			
SCHIMDT, V.		✓			
STIER		✓			
TALARICO		✓			

DATE: 5/10/77 Charles W. Winterman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION)

ORDINANCE (RESOLUTION) No. _____ on the _____ day of _____, 1976.
ATTEST: (SEAL)

Charles W. Winterman _____
CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 1976, at the hour of _____ o'clock _____ M., E.S.T.

Charles W. Winterman
CITY CLERK

Approved and signed by me this _____ day of _____, 1976, at the hour of _____ o'clock _____ M., E.S.T.

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 22, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-03-15; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 18, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 25, 1977.

Certified and signed this
27th day of April, 1977.

Joseph N. Adair

Joseph N. Adair
Secretary

Bill No. Z-77-03-15

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. BB-9

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do not PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

WINFIELD C. MOSES, JR. - VICE CHAIRMAN

WILLIAM T. HINGA

DONALD SCHMIDT

SAMUEL J. TALARICO

Vivian G. Schmidt
Winfield C. Moses, Jr.
William T. Hinga
Donald Schmidt
Samuel J. Talarico

5-10-77 CONCURRED IN
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

Date Feb 17 77 No. 6919

Received From Burman, Crowell & Swickard

Address

Fifty dollars

Dollars 50 00

For Grazing - Tellico Place Add'n
Thurston Hillmans Neuhaus

ACCOUNT		HOW PAID	
AMT. OF ACCOUNT	<u>50</u> <u>-</u>	CASH	
AMT. PAID	<u>50</u>	CHEQUE	<u>#11799</u>
BALANCE DUE		MONEY ORDER	

By ph

PETITION FOR ZONING ORDINANCE AMENDMENT

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Receipt No. _____

Date Filed _____

Intended Use _____

I/We Thomas D. Foy, M.D., et al.

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R-1 district to a/an B1A district the property described as follows:

Lots 73, 74, 75 and 76 in Lillie Place Addition

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 in Thimlars Addition

Lots 1, 2, 3, 4 and 5 in Kuhlman's Addition

Lots 15, 16 and 17 in Neuhaus Acre Addition

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that ~~I am~~ We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(See Attached Sheet)

(Name)

(Address)

(Signature)

Legal Description Checked By: _____
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

Jerrald A. Crowell, Atty.
(Name)

1900 Ft. Wayne Bank Bldg.
(Address)

743-4451
(Telephone Number)

CITY PLAN COMMISSION, CITY-COUNTY BUILDING, Room # 880, ONE MAIN STREET, FORT WAYNE, INDIANA, 46802
Telephone Number: 423-7571

<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
John L. Duxbury	2301 St. Mary's Avenue	<u>John L. Duxbury</u>
J. A. Duxbury	2301 St. Mary's Avenue	<u>Justine Duxbury</u>
D. A. Jensen	2307 St. Mary's Avenue	
H. D. Macbeth	2315 St. Mary's Avenue *	<u>Heidi Macbeth</u>
Thomas D. Foy	1104 West State Boulevard	<u>Thomas D. Foy</u>
Loretta M. Foy	1104 West State Boulevard	<u>Loretta M. Foy</u>
M. D. Faith	1106 West State Boulevard	<u>M. D. Faith</u>
H. M. Faith	1106 West State Boulevard	<u>H. M. Faith</u>
Mark A. Maggert	1204 West State Boulevard	<u>Mark A. Maggert</u>
Marjorie L. Heim	1206 West State Boulevard	
Arvilla Hobbs	1212 West State Boulevard	<u>Arvilla Hobbs</u>
Merle L. Carter	1218 West State Boulevard *	<u>Merle L. Carter</u>
P. Joan Carter	1218 West State Boulevard *	<u>P. Joan Carter</u>
Pearl M. Ensich	1224 West State Boulevard	<u>Pearl M. Ensich</u>
Leona G. Beer	1230 West State Boulevard	<u>Leona G. Beer</u>
Glenn Hendrickson	1304 West State Boulevard	<u>Glenn Hendrickson</u>
E. Hendrickson	1304 West State Boulevard	<u>E. Hendrickson</u>
Paul M. Waters	1308 West State Boulevard	<u>Paul M. Waters</u>
M. L. Waters	1308 West State Boulevard	<u>Marjorie Waters</u>
Marie A. Kugler	1310 West State Boulevard *	<u>Marie A. Kugler</u>
Guenther M. Emkow	1314 West State Boulevard *	<u>Guenther Emkow</u>
K. L. Emkow	1314 West State Boulevard *	<u>Kathleen L. Emkow</u>
E. A. Sible	1318 West State Boulevard	<u>E. A. Sible</u>
Gerald E. Prumm	1324 West State Boulevard	<u>Gerald E. Prumm</u>
B. J. Prumm	1324 West State Boulevard	<u>B. J. Prumm</u>
Anna M. James	1328 West State Boulevard	
Nancy Schreffler, et al.	1330 West State Boulevard	<u>Nancy Schreffler</u>
Carl W. Blickendorf	1340 West State Boulevard *	<u>Carl W. Blickendorf</u>
Carl W. Blickendorf	1340 West State Boulevard *	<u>Carl W. Blickendorf</u>

<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
Carl W. Blickendorf	1340 West State Boulevard	<u>Carl W. Blickendorf</u>
H. G. Blickendorf	1340 West State Boulevard	<u>H. G. Blickendorf</u>
Edward J. Cox	1217 Clayton Avenue	_____
Ruby M. Cox	1217 Clayton Avenue	_____
Lincoln National Bank	1221 Clayton Avenue *	<u>William D. Day</u> <u>Vice President</u>
Lincoln National Bank	1221 Clayton Avenue *	_____

Vaughn L. Dale	1229 Clayton Avenue	<u>Vaughn L. Dale</u>
M. A. Dale	1229 Clayton Avenue	<u>Marilyn A. Dale</u>

*Property address only, not owner's address.

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RECEIVED

APR 13 1977

FORT WAYNE CITY
PLAN COMMISSION

April 11, 1977

This is a petition to the City Plan Commission.

The undersigned said petition is against
Bill #Z-77-03-15 in regarding to no change from
R-1 said petition to a B 1-A.

Mr. & Mrs. Gary Carpenter 1108 Clayton Ave.
Mrs. Bertha Seibold 1106 Clayton Ave.
Mrs. Lillian Burton 2423 St. Marys Ave.
Jennal Jenner 2423 St. Marys Ave.
Mrs. Shirley C. Sauer 2405 St. Marys Ave.
Mr. & Mrs. Truman Amstutz 2427 St. Marys
Mrs. Dorothy A. Jensen 2307 St. Marys Ave.
Mrs. Anna Oliver 1126 Clayton Ave.
Mrs. Elda Trindlein 2415 St. Marys Ave.
Harley L. Larson 1130 Clayton Ave.
Mr. & Mrs. Donald H. Chumley 1202 Clayton Ave.
Beatrice B. Crowl 1206 Clayton Ave.
Mrs. Gladys Kelder 1212 Clayton Ave.
Mrs. Jeanette Budd 1210 Clayton Ave.
Mr. & Mrs. Gary Warrick 1220 Clayton Ave.

MR AND MRS Kahlbeck 1224 CLAYTON

Thomas Hutchinson 1318 Clayton

Mrs. A. Nicolet 1226 Clayton

Mr + Mrs Edward Lubomirski 1302 Clayton Ave

Mr + Mrs. Wayne V. Cooley 1314 Clayton Ave.

Mr and Mrs Mable E. Vice 1310 Clayton Ave.

Mrs Anilla Hobbs 1212 W. State

Paul Ensch 1224 W. State.

Isbrandrudson 1304 W. State

Marynie L Heim 1206 W. State

Ruth Greene 1130 Clayton Ave.

Mrs McClaurie Lamer 2314 St Marys

Mr + Mrs Donald F. Rowdabaugh 2402 St Marys Ave

Mrs Violet Graves 1013 Clayton Ave

Marie Drewery 1007 Clayton Ave.

Renny Mason 2310 Poinsette

Mrs Kath S. Porcup 2314 Poinsette Park

Mr + Mrs Enbody 2315 Poinsette Dr

Birdie Heck 2405 Poinsette

Off. F. Stahlke 1405 W. Poinsette

Mrs Lina McWilliams 2407 Poinsette

Mr + Mrs. Roy Connin 2418 Poinsette Drive

Mr + Mrs Ray Vidler

Mr + Mrs Lawrence G. Eichen 1410 W. STATE

I've decided I don't
want to rezone to
B1A

Glenn Henriksen
1304 W. State
483-5402

I've decided I don't
want to rezone to
B1A

Amilla Hobbs, 1212 W. State
483-8390

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment Ordinance 3-77-03-15

DEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSION

SYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning of the following described property:

Lots # 73, 74, 75 & 76 in Lillie Place Addition / Lots # 1 thru # 12 in
Thimlar's Addition / Lots # 1 thru # 5 in Kuhlman's Addition /
and Lots # 15, 16 & 17 in Neuhaus Acre Addition / Generally described

as follows: Bounded on the South by West State Blvd., / on the north by
Clayton Street / on the east by St. Mary's Blvd., and on the west by
Poinsette Ave.,

From R1 to "B1A"

EFFECT OF PASSAGE Property is presently zoned "B1" - Single Family
Residential. Petitioners are requesting a "B1A" - Limited Business.

EFFECT OF NON-PASSAGE Property would remain "R1"

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

(ASSIGN TO COMMITTEE (J.N.)) Reg